

COURT ADDRESS:
1425 NORTH COURTHOUSE ROAD #6100
ARLINGTON, VA 22201
PHONE # :703-228-7010



OFFICIAL RECEIPT
ARLINGTON CIRCUIT COURT
CIVIL

DATE : 05/17/2022

TIME : 15:21:07

CASE # : 013CL2100184100

RECEIPT # : 22000005217

TRANSACTION # : 22051700057

CASHIER : SJF

REGISTER # : C215

FILING TYPE : MECH

PAYMENT : FULL PAYMENT

CASE COMMENTS : INFINITY BUILDING SERVIC v. SMOKECRAFT CLARENDON LLC

SUIT AMOUNT : \$0.00

ACCOUNT OF : SMOKECRAFT CLARENDON LLC

PAID BY : INFINITY BUILDING SERVICES INC

CHECK : \$64,000.00

CHECK NUMBER : 442205717

DESCRIPTION 1 : PLAINTIFF: INFINITY BUILDING SERVICES INC

2 : NO HEARING SCHEDULED

ACCOUNT CODE	DESCRIPTION	PAID
503	BONDS (CIVIL)	\$64,000.00

TENDERED : \$ 64,000.00

AMOUNT PAID : \$ 64,000.00

IN THE CIRCUIT COURT OF ARLINGTON COUNTY
FOR THE COMMONWEALTH OF VIRGINIA

INFINITY BUILDING SERVICES, INC., Plaintiff, vs. SMOKECRAFT CLARENDON, LLC, <i>et al.</i> , Defendants.	Case No.: CL-2021-1841
---	------------------------

CONSENT MOTION/PETITION OF SMOKECRAFT CLARENDON, LLC FOR PERMISSION TO DISCHARGE LIEN

COMES NOW, Defendant Smokecraft Clarendon, LLC (hereinafter “Smokecraft”), with the consent of Plaintiff Infinity Building Services, Inc. (hereinafter “Infinity”) (together, the “Parties”), by undersigned counsel, and respectfully moves this Court, pursuant to Virginia Code Ann. § 43-70, to grant Smokecraft permission to discharge the Mechanic’s Lien filed by Infinity, and states as follows as support thereof:

1. Smokecraft operates a restaurant business under the name of Smokecraft Modern Barbecue in the Clarendon area of Arlington County, Virginia, and is the Leasehold Owner of the premises where such restaurant is located.
2. Infinity is a Maryland corporation engaged in construction services, including, in this instance, in Arlington County, Virginia.
3. On or about October 29, 2020, Infinity filed a Mechanic’s Lien in connection with work performed pursuant to a General Contractor Construction Agreement with Smokecraft (hereinafter, the “Infinity Lien”), recorded in the land records of Arlington County as Instrument No. 20200100030164.

4. On April 27, 2021, Infinity filed a Complaint in this Court, including a claim to enforce the Infinity Lien, and served the Complaint on Smokecraft on April 22, 2022.

5. Pursuant to Va. Code Ann. § 43-70, Smokecraft would like to discharge the Infinity Lien by payment of the alleged amount sufficient to discharge such lien, plus court costs, into the Court registry.

6. Infinity consents to the relief sought herein.

7. The Parties agree that Smokecraft provided sufficient notice of intent to petition this Court for permission to discharge the Mechanic's Lien pursuant to Va. Code Ann. § 43-70, and/or the Parties waive any further notice.

8. Accordingly, Smokecraft respectfully requests that this Court grant permission for Smokecraft to discharge the Infinity Lien by paying into the Court the amount of \$64,000, which includes court costs and interest, and that upon payment of such amount into the registry of the Court the Infinity Lien shall be discharged as provided by Virginia Code 43-70.

WHEREFORE, Plaintiff Infinity Building Services, Inc. and Defendant Smokecraft Clarendon, LLC respectfully request that this Court grant Defendant Smokecraft Clarendon, LLC permission to discharge the Mechanic's Lien filed by Plaintiff Infinity Building Services, Inc.

Respectfully submitted,

Dated: May 3, 2022

THE PELS LAW FIRM

Jon D. Pels, Esq., VA Bar #39888
jpels@pelslaw.com

4845 Rugby Avenue, Third Floor
Bethesda, MD 20814
(301) 986-5570 (T)

FULLERTON & KNOWLES, P.C.

Paul Schrader, Esq., VA Bar #75394
pschrader@fullertonlaw.com

12642 Chapel Rd.
Clifton, VA 20124
703-818-2600, x209

(301) 986-5571 (F)
Counsel for
Defendant Smokecraft Clarendon, LLC

Fax 703-818-2602
Counsel for Plaintiff
Infinity Building Services, Inc.

© 2022 TD Bank, N.A. All Rights Reserved

Amount: **\$56,063.44**

Front of deposit slip

Back of deposit slip

RECORD OF CHECKS FOR DEPOSIT

CHECKS LIST SEPARATELY	DOLLARS	CENTS
573511022625 165842 20220429 [REDACTED] 0398	DDA_CREDIT NESTIME 56063.44	
Tenleytown 0335 94004 5735 0004 0084		

ENTER TOTAL
ON FRONT

Front of check



America's Most Convenient Bank®

© 2022 TD Bank, N.A. All Rights Reserved

Account: TD BUSINESS PREMIER CHECKING

Date posted: May 4, 2022

Amount: \$7,936.56

Front of deposit slip

TD Bank		CHECKING DEPOSIT	
CASH / CURRENCY ▶		7-13/520	
TOTAL ITEMS		65-770/520	
DATE <u>5/4/22</u>		3968.28	
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL		3968.28	
NAME <u>Smokecraft Clarendon LLC</u>		TOTAL FROM OTHER SIDE	
PLEASE PRINT		SUBTOTAL	
ACCT. # <u>[REDACTED] 0398</u>		LESS CASH	
		\$ 7936.56	

5210 1020

Back of deposit slip

RECORD OF CHECKS FOR DEPOSIT	573505027040 164603 20220504 [REDACTED] 0398
DOLLARS	DDA CREDIT ASHAKIB 0.00
CENTS	Tenleytown 0335 94004 5735 0007 0052

CHECKS LIST SEPARATELY

ENTER TOTAL ON FRONT

Front of check

Bank of America Advantage	
DIANE DAVENNY DARNEILLE 02-10	1142
7104 LOCH LOMOND DR	7-163/520 MD 8106
BETHESDA MD 20817-4780	
Date <u>5-4-22</u>	
Pay <u>Smokecraft Clarendon LLC</u>	\$ 3,968.28
to the order of <u>Therly Nine Hundred Sixty Eight and 28/100</u>	Dollars
Bank of America	Advantage
ACH R/T 052001833	
Loan Advance Supplement	
Memo <u>Discharge</u>	

Back of check

573505027041 164619 20220504 [REDACTED]
TRN_DEBIT ASHAKIB 3968.28
Tenleytown 0335 94004 5735 0007 0052

5210 1020

Front of check

HOPEWELL H. DARNEILLE III 07-83
7104 LOCH LOMOND DR.
BETHESDA, MD 20817-4760

65-270/550

3265

Date 5/3/22

Pay to the order of Smokecraft Clarendon, LLC \$ 3,968.28

Three thousand nine hundred sixty-eight and 28/100 dollars



ACH RT 081000104

Memo Non Advance supp
Discharge

Hopewell H. Darnelle III

3265

Back of check

573505027042 164619 20220504 [REDACTED] 83
TRN_DEBIT ASHAKIB 0.00
Tenleytown 0335 94004 5735 0007 0052

for deposit only

SMOKECRAFT CLARENDON LLC3003 WASHINGTON BLVD. STE 101
ARLINGTON, VA 22201

07-20

2212

15-172/540
595

DATE

8/15/23

PAY
TO THE
ORDER OF

Hopewell Darneille

\$ 32,814.²⁵Thirty two thousand eight hundred fourteen and ²⁵/₁₀₀ DOLLARS**Bank**

America's Most Convenient Bank®

FOR IBS Va Ct. Lien Loan Return +
2% Interest

039811

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM

SMOKECRAFT CLARENDON LLC3003 WASHINGTON BLVD. STE 101
ARLINGTON, VA 22201

07-20

2213

15-172/540
595

DATE

8/15/23

PAY
TO THE
ORDER OF

Diane Darneille

\$ 32,814.²⁵Thirty two thousand eight hundred fourteen and ²⁵/₁₀₀ DOLLARS**Bank**

America's Most Convenient Bank®

FOR IBS Va Ct. Lien Loan Return + 2%
Interest

Smokecraft0013

039811

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

Case 24-13609

Doc 88-4

Filed 01/22/25

Page 9 of 10

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



Bank

OFFICIAL CHECK

44220571-7

RE: SMOKECRAFT CLARENDON LLC

DATE: 05/05/2022

52-0133
112

PAY TO THE ORDER OF *** CLERK OF ARLINGTON CIRCUIT COURT ***
SIXTY FOUR THOUSAND AND 00/100

\$64,000.00

Infinity Bldg SVCS, Inc v.
Smokecraft Clarendon, LLC, et al;
Case No. CL 21-1841

DRAWER: TD BANK, N.A.



Security
Features
Details on
Back

[Handwritten Signature]
AUTHORIZED SIGNATURE

Smokecraft 0014

9404

Smokecraft Clarendon LLC

Transaction Report
All Dates

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT	SPLIT	AMOUNT	BALANCE
Loan from Parents								
12/08/2020	Deposit		Robert Darneille	DEPOSIT short term loan from parents	2256 Loan from Parents	1020 TD Bank Operating	15,000.00	15,000.00
12/15/2020	Deposit			DEPOSIT	2256 Loan from Parents	1010 Capital Bank MD	15,000.00	30,000.00
01/19/2021	Deposit			loan from parents	2256 Loan from Parents	1020 TD Bank Operating	20,000.00	50,000.00
04/29/2022	Deposit			DEPOSIT	2256 Loan from Parents	1020 TD Bank Operating	56,063.44	106,063.44
05/04/2022	Deposit			DEPOSIT	2256 Loan from Parents	1020 TD Bank Operating	7,936.56	114,000.00
02/24/2023	Deposit			Hi Marcelena, My parents have written a check, which I deposited today, for a \$15,000.00 loan for us to keep our steady cash flow with legal bills still to come. My Dad has offered this loan at 5%, less than our 10% investor loan agreement per our articles, so please start tracking accordingly.	2256 Loan from Parents	1020 TD Bank Operating	15,000.00	129,000.00
08/08/2023	Bill		Hopewell Darneille		2256 Loan from Parents	Accounts Payable (A/P)	-32,000.00	97,000.00
08/08/2023	Bill		Diane Darneille		2256 Loan from Parents	Accounts Payable (A/P)	-32,000.00	65,000.00
08/15/2023	Transfer			New loan from Andrew's parents	2256 Loan from Parents	1020 TD Bank Operating	59,528.00	124,528.00
09/22/2023	Deposit		Hopewell Darneille	DEPOSIT	2256 Loan from Parents	1020 TD Bank Operating	30,000.00	154,528.00
01/01/2024	Journal Entry	re- class loan		to re-class loan from parents to equity	2256 Loan from Parents	-Split-	- 154,528.00	0.00
Total for Loan from Parents							\$0.00	
TOTAL							\$0.00	